

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GILEAD SCIENCES, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 22-615 (MN)
)	
LUPIN LTD., LAURUS LABS LIMITED,)	
and CIPLA LIMITED,)	
)	
Defendants.)	

CONSENT JUDGMENT AND DISMISSAL ORDER

This action for patent infringement having been brought by Plaintiff Gilead Sciences, Inc. (“Gilead”) against Defendant Lupin Ltd. (“Lupin”) for infringement of, *inter alia*, U.S. Patent Nos. 9,708,342, 10,385,067, and 11,744,802 (the “Patents-in-Suit”);

Gilead and Lupin (the “Parties”) having agreed to terminate the pending litigation by the entry of this Judgment and Dismissal Order; and

The Parties now consent to this Judgment and Order.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. This Court has jurisdiction over the Parties and subject matter of this action.
2. All affirmative defenses, claims, and counterclaims in this action are hereby dismissed without prejudice.
3. The claims of the Patents-in-Suit are valid and enforceable solely with respect to the manufacture, use, sale, offer for sale, and/or importation of the product of ANDA No. 217152 in the United States.
4. Unless otherwise authorized by Gilead, Lupin and its Affiliates are hereby enjoined from making, having made, using, having used, offering for sale, having offered

for sale, selling, or having sold in the United States, or importing or having imported into the United States, the product of ANDA No. 217152 until the expiration of the Patents-in-Suit. For the purposes of this Judgment and Order, “Affiliate” means, with respect to a Person, any other Person controlling, controlled by or under common control with such Person, but only as long as such control continues, where control and its correlates, as used in this definition, means (a) the ownership of at least fifty percent (50%) of the equity or beneficial interest of such other Person, (b) the right to vote for or appoint a majority of the board of directors or other governing body of such other Person, or (c) the power, whether pursuant to contract, ownership of securities, or otherwise, to direct the management and policies of such other Person.

5. The Parties waive all right to appeal from this Judgment and Order.

6. This Court shall retain jurisdiction over this action and over the Parties for purposes of enforcement of the provisions of this Judgment and Order.

7. Each Party is to bear its own costs and attorneys’ fees.

8. Nothing herein (a) shall be construed as preventing the U.S. Food & Drug Administration from granting final, effective approval to Lupin’s ANDA No. 217152, and (b) applies to any product or application other than the product that is the subject of Lupin’s ANDA No. 217152.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Jeremy A. Tigan

Jeremy A. Tigan (#5239)
Megan E. Dellinger (#5739)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jtigan@morrisnichols.com
mdellinger@morrisnichols.com

Attorneys for Plaintiff Gilead Sciences, Inc.

September 1, 2025

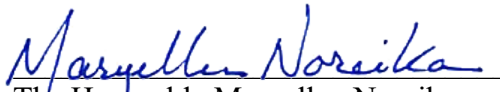
PHILLIPS, McLAUGHLIN & HALL, P.A.

/s/ John C. Phillips, Jr.

John C. Phillips, Jr. (#110)
David A. Bilson (#4986)
1200 North Broom Street
Wilmington, DE 19806-4204
(302) 655-4200
jcp@pmhdelaw.com
dab@pmhdelaw.com

Attorneys for Defendant Lupin Ltd.

IT IS SO ORDERED this 2nd day of September 2025.


The Honorable Maryellen Noreika
United States District Judge